

JOURNAL OF THE HOUSE.

Thursday, February 16, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God of Forgiveness and Truth, we believe that You have a personal interest and concern for our total material and spiritual well being. Your always available assistance enables us to cope with and address forthrightly, both the ordinary and the sensitive, and difficult issues which daily come our way. This weekend our nation, which as been blessed by You in many ways and many occasions, celebrates and honors the accomplishments of Presidents Washington and Lincoln. We are grateful for their leadership, patriotism and commitment to high ideals and personal freedom. In our struggle today to recognize and to respect the dignity and basic rights of all people, and in our search for peace, may we be guided by the courage and goals of our former presidents and by Your spiritual values and precepts.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Torrisi of North Andover, petition (accompanied by bill, House, No. 4693) of David M. Torrisi and others (by vote of the town) that the town of North Andover be authorized to hold a license for the sale of alcoholic beverages to be consumed on the premises of the Stevens Estate. To the committee on Consumer Protection and Professional Licensure.

North
Andover,
Stevens
Estate.

By Ms. Blumer of Framingham, petition (accompanied by bill, House, No. 4694) of Deborah D. Blumer and others (by vote of the town) that the town of Framingham be authorized to recall elected officials of said town. To the committee on Election Laws.

Framingham,
recall
elections.

By Mr. Greene of Billerica, petition (accompanied by bill, House, No. 4695) of Robert A. Havern (by vote of the town) for legislation to exempt certain clerical positions in the town of Billerica from provisions of the civil service law. To the committee on Public Service.

Billerica,
civil service
exemptions.

By Mr. O'Flaherty of Chelsea, petition (accompanied by bill, House, No. 4696) of Eugene L. O'Flaherty (with the approval of the city council) relative to increasing the tax exemption for residential real property in the city of Chelsea. To the committee on Revenue.

Chelsea,
residential
taxes.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Emergency
medical
technicians.

By Mr. Bosley of North Adams, petition (subject to Joint Rule 12) of Daniel E. Bosley relative to ambulance staffing requirements and the certification and renewal fees for emergency medical technicians.

Property
taxes.

By Mr. Bradley of Hingham, petition (subject to Joint Rule 12) of Garrett J. Bradley relative to property tax exemptions in cities and towns for blind veterans awarded the Purple Heart.

Sales,
door-to-
door.

By the same member, petition (subject to Joint Rule 12) of Garrett J. Bradley for legislation to regulate door-to-door sales of goods and periodicals in the cities and towns of the Commonwealth.

Ann
Meeropol,
retirement.

By Ms. Candaras of Wilbraham, petition (subject to Joint Rule 12) of Gale D. Candaras that the Teachers' Retirement Board be directed to include certain special assistance payments to Ann Meeropol for computation of retirement benefits.

Medical
supplies,
samples.

By Mr. Coughlin of Dedham, petition (subject to Joint Rule 12) of Robert K. Coughlin relative to the supply of ancillary products necessary for medical treatment under the false health care claims insurance law.

Easton,
veterans
benefits.

By Mrs. Creedon of Brockton, petition (subject to Joint Rule 12) of Geraldine Creedon and others for legislation to reimburse the town of Easton for certain expenditures for veterans' benefits.

Dexter
Olsson,
registration
plate.

By Mr. deMacedo of Plymouth, petition (subject to Joint Rule 12) of Viriato Manuel deMacedo that the Registrar of Motor Vehicles be authorized to transfer registration plate number "1620" to Dexter Olsson of the town of Plymouth.

Greenfield
and Franklin,
district
courts.

By Mr. Donelan of Orange, petition (subject to Joint Rule 12) of Christopher J. Donelan and Stanley C. Rosenberg relative to assistant clerks of court for the District Court of Greenfield and the District Court of Franklin.

Education,
funding.

By Mr. Eldridge of Acton, petition (subject to Joint Rule 12) of Cory Atkins and others for legislation to ensure a minimum amount of state funding for education in the cities and towns of the Commonwealth.

Teens,
mental
health
centers.

By Ms. Flanagan of Leominster, petition (subject to Joint Rule 12) of Jennifer L. Flanagan and others for legislation to authorize the Department of Mental to establish teen drop-in centers.

Scituate,
Sergeant
Kelley
Bridge.

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 12) of Frank M. Hynes for legislation to designate the bridge on Route 3A over the North River connecting the towns of Scituate and Marshfield as the Sergeant Michael Jason Kelley Memorial Bridge.

Motor
vehicles,
compartments.

By Mr. LeDuc of Marlborough, petition (subject to Joint Rule 12) of Stephen P. LeDuc and Karyn E. Polito for legislation to prohibit the sale or equipping of motor vehicles with hidden compartments for the purpose of concealing contraband.

Bail,
regulating.

By Mr. O'Brien of Kingston, petition (subject to Joint Rule 12) of Thomas J. O'Brien relative to probable cause for the revocation and detention of certain persons released on bail.

Motor
vehicles,
sales.

By Mr. O'Flaherty of Chelsea, petition (subject to Joint Rule 12) of Eugene L. O'Flaherty for legislation to require educational training for licensees engaged in the sale of second hand motor vehicles.

Prisoners,
escapes.

By the same member, petition (subject to Joint Rule 12) of Eugene L. O'Flaherty relative to the penalty for escaping or attempt-

ing to escape from penal institutions or jails in the cities and towns of the Commonwealth.

By Mr. Pignatelli of Lenox, petition (subject to Joint Rule 12) of William Smitty Pignatelli and others for legislation to exempt certain elderly persons and law enforcement personnel from fees imposed for the renewal of licenses to carry firearms.

Firearms,
license
fees.

By Miss Reinstein of Revere, petition (subject to Joint Rule 12) of Kathi-Anne Reinstein and others relative to the penalty for persons vandalizing historical monuments.

Monuments,
vandalism.

By Ms. Rivera of Springfield, petition (subject to Joint Rule 12) of Thomas G. Robbins relative to the penalties for illegal sales of police vehicles in the Commonwealth.

Police
vehicles,
sale.

By Mr. Sciortino of Somerville, petition (subject to Joint Rule 12) of Christopher N. Speranzo for legislation to prevent the use of Commonwealth capital scores of communities relative to the funding for the purchase of agricultural preservation restrictions.

Agricultural
preservation
restrictions.

By Mr. Turkington of Falmouth, petition (subject to Joint Rule 12) of Eric Turkington and others relative to the penalties for persons convicted of assaults in dwellings.

Dwellings,
assaults.

By Mr. Vallee of Franklin, petition (subject to Joint Rule 12) of James E. Vallee for legislation to designate a certain bridge on Route 140 in the town of Franklin as the Lance Corporal Shayne Cabino Bridge.

Franklin,
Corporal
Cabino
Bridge.

By Mr. Walsh of Boston, petition (subject to Joint Rule 12) of Martin J. Walsh for legislation to prohibit the retention of body parts and organs without the approval of the next of kin of deceased persons.

Organs,
retention.

By Mr. Walsh of Lynn, petition (subject to Joint Rule 12) of Steven M. Walsh and others for legislation to regulate the awarding of public construction contracts to applicants involved in certain legal proceedings.

Construction
projects,
bidding.

By Ms. Wolf of Cambridge, petition (subject to Joint Rule 12) of Alice K. Wolf and Sandra Sherwood that the State Board of Retirement be authorized to grant certain credit to said Sandra Sherwood for services rendered to the Department of Education.

Sandra
Sherwood,
retirement.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

The House Bill further regulating meetings of municipal boards (House, No. 4489, amended) came from the Senate passed to be engrossed, in concurrence, with amendments in line 9, after the word "received," striking out the word "provided" (inserted by amendment by the House) and inserting in place thereof the words "if the member, before voting, certifies in writing" (stricken by amendment by the House), and in line 13, inserting after the word "sessions," the following sentence: "The written certification shall be part of the record of the hearing." (stricken by amendment by the House). (inserted by amendment by the House) and inserting in place thereof the words "if the member, before voting, certifies in writing"; and in said proposed subsection (a), inserting after the first sentence the following sentence: "The written certification shall be part of the record of the hearing."

Municipal
boards,
meetings.

Under suspension of Rule 35, on motion of Mr. Peterson of Grafton, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Reports of Committees.

Environmental
issues.

By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, on Senate, Nos. 468, 470, 476, 488, 495, 503, 509, 515, 516, 522, 525, 544, 545 and 547, and on House, Nos. 1269, 1276, 1292, 1301, 1316, 1324, 1330, 1332, 1333, 1342, 1343, 1347, 1348, 1349, 1351, 1355, 1363, 1365, 1370, 1385, 1389, 1393, 1394, 1395, 1398, 1405, 1716, 2877, 3148, 3442, 3888 and 4397, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents concerning environmental issues (House, No. 4692).

Referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

Emergency Measure.

Organ and
tissue
donations.

The engrossed Bill further regulating organ and tissue donations (see Senate, No. 2353, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bill.

The Senate Bill relative to certain motor vehicle violations (Senate, No. 2132, amended) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

House bills
Third
reading
bills.

Establishing a town administrator in the town of Hanson (House, No. 4524);

Protecting the rights of target shooters (House, No. 4552); and
Establishing a sick leave bank for Marie Cantave-Kenney, an employee of the Trial Court of the Commonwealth (House, No. 4653);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Recesses.

At a quarter after eleven o'clock A.M., on motion of Mr. Smizik of Brookline (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before twelve o'clock noon; and at eight minutes before twelve o'clock noon the House was called to order with Mr. Donato in the Chair.

The House thereupon took a further recess, on motion of Mr. Smizik of Brookline, until a quarter after twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair.

Mortgage
payoffs,
remedies

The Senate Bill providing remedies to consumers for clearing title after payoff of mortgages (Senate, No. 2278, amended) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Fallon of Malden moved that it be amended by striking out all after the enacting clause and inserting in place thereof a new text.

Pending the question on adoption of the amendment, Mr. Golden of Lowell moved that the proposed substitute text be amended by inserting after section 4 the following section:

"SECTION 4A. Sections 17B, 17C and 17D of chapter 184 of the General Laws are hereby repealed.

The further amendment was adopted."

The amendment (text of House, No. 4697, printed as amended) also was adopted; and the bill, as amended, was passed to be engrossed, in concurrence. The bill (Senate, No. 2278, amended) then was sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

Next
sitting.

At twenty-seven minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.